

REMARKS

The Applicants request the Examiner to enter the current preliminary amendment prior to the Examination. The above claim amendments are solicited to provide a current continuation-in-part application with claims that read on Species 2 of the restriction requirement that had been issued in an Office Action dated November 4, 2003 for the parent case, Application Serial No. 10/196,896. All of the claim amendments have been supported by the disclosures of the original parent application.

After entry of the preliminary amendment, claims 1, 3 through 8, 13, 17 through 22, and 34 through 41 will be pending.

In addition, the Applicants would like to overcome the pending rejections that communicated in the same Office Action. The Examiner has rejected claims 1 through 9, 11, 13, 14, 17 through 22, 24, 26 and 28 through 33 under 35 U.S.C. §103 allegedly being obvious over Japanese Unexamined Patent Publication No. 2000-18156 (the '156 reference) in view of Japanese reference 6-2648 (the '648 reference).

The '156 reference discloses an elastic member around or near a thrust bearing that support a rotational body or a lug plate in a compressor. As shown in FIGURE 1 of the same reference, the elastic element 62 is placed between the housing 11 and the thrust bearing 66.

The '648 reference discloses an axial piston pump that utilizes a vibration dumping material. Although the detail information is provided for the composition of the vibration dumping material, the location of the application of the dumping material is limited to the thrust plate 50 and the valve plate 12.

In sharp contrast, newly amended independent claim 1 now explicitly recites "the vibration damping member being placed between the cam plate and the lug plate." Similarly,

newly amended independent claim 13 also explicitly recites "the vibration damping alloy being placed between the cam plate and the lug plate." As clearly supported by the drawings, a vibration damping member is arranged between a cam plate and the lug plate. Neither of the cited reference alone or in combination fails to disclose, teach or suggest the placement of the vibration dumping material between "the cam plate and the lug plate" as explicitly recited in newly amended independent claims 1 and 13. For this reason, it would not have been obvious to one of ordinary skill in the art to provide the patentable structure based upon the cited references. Thus, the Applicants respectfully submit to the Examiner that independent claims 1 and 13 are clearly distinguished over the disclosure of either of the cited reference and that pending rejections under the section 103 should be withdrawn.

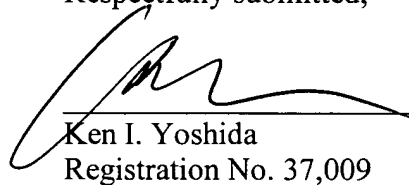
New Claims

Claims 34 through 41 have been added to the current continuation-in-part application. The newly added claims are supported by the disclosures that have been added to the current application. The newly added disclosures include FIGURE 14 and the corresponding description.

CONCLUSION

Based upon the above reasons, the Applicant respectfully submit to the Examiner that the currently pending claims should be in condition for allowance and respectfully requests a favorable Office Action so indicating.

Respectfully submitted,



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